

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VINCENT M. LOPEZ,

Plaintiff,

v.

CORRECTIONAL OFFICER W. OWEN,

Defendant.

No. C 05-4335 MMC (PR)

ORDER OF DISMISSAL

(Docket No. 2)


Plaintiff, a California prisoner proceeding pro se, filed the above-titled civil rights action on October 25, 2005, by submitting an application to proceed in forma pauperis. That same date, the Clerk of the Court notified plaintiff that he had not attached a complaint or petition to the other documents filed in this action. In said notice, plaintiff was advised that his failure to file a complaint or petition within thirty days thereof would result in dismissal of the action. Plaintiff has not responded. As more than thirty days have passed since the deficiency notice and plaintiff has not filed a complaint or petition, the above-titled action is hereby DISMISSED without prejudice.

The application to proceed in forma pauperis is hereby DENIED and no fee is due. This order terminates Docket No. 2.

The Clerk shall close the file.

IT IS SO ORDERED.

DATED: December 1, 2005


MAXINE M. CHESNEY
United States District Judge